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Attorneys for Defendant, Abbott Laboratories

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

_____	x	
	:	
CHURCH & DWIGHT CO., INC.,	:	
	:	Honorable Garrett E. Brown, Jr., U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 05 CV 2142 (GEB)
	:	
v.	:	AMENDED NOTICE OF APPEAL
	:	
ABBOTT LABORATORIES,	:	
	:	
Defendant.	:	
_____	x	

Notice is hereby given that Defendant Abbott Laboratories ("Abbott") hereby appeals to the United States Court of Appeals for the Federal Circuit from the judgment entered by this Court on February 20, 2009 (Docket No. 323), which became final on July 8, 2009, with the entry of the Court's Order amending the judgment to include prejudgment interest and post judgment interest and denying plaintiff's motion for attorney fees (Docket No. 355), and from any and all other orders, rulings, findings, and/or conclusions of the Court adverse to Abbott, including but not limited to:

- (1) the Court's Order of February 20, 2009 (Docket 323), entering judgment for plaintiff Church & Dwight and against Abbott in the amount of \$29,200,000.00;
- (2) the Court's Order of December 23, 2008 (Docket 320), denying Abbott's motion for judgment that plaintiff's claim of damages is barred under the doctrine of laches;
- (3) the Court's Order of June 24, 2008 (Docket 295), denying Abbott's motion for a new trial;
- (4) the Court's Order of June 24, 2008 (Docket 293), denying Abbott's motion for judgment as a matter of law as to invalidity, infringement, willful infringement, and damages;
- (5) the Court's Order of June 24, 2008 (Docket 291), denying Abbott's motion for leave to present an inequitable conduct defense;
- (6) the Court's Order of June 24, 2008 (Docket 289), denying Abbott's motion for judgment as a matter of law that Church & Dwight is not entitled to damages for sales of products manufactured prior to July 1, 2001 by Genzyme and/or Wyntek;
- (7) the Court's Order of June 24, 2008 (Docket 287), granting Church & Dwight's motion for enhanced damages;
- (8) the Court's Order of February 29, 2008 (Docket 248), denying Abbott's motion for reconsideration of the Court's February 7, 2008 decision regarding instructions to the jury related to U.S. Patent Application No. 872,357;
- (9) the Court's Markman Order of August 28, 2007 (Docket 101); and
- (10) the Court's Order of July 8, 2009 (Docket 355), as amended on July 23, 2009 (Docket 358), and Memorandum Opinion of July 8, 2009 (Docket 354) as amended on July 23, 2009 (Docket 357), denying Church & Dwight's motion for attorney fees and nontaxable costs, denying Church & Dwight's motion for a bill of costs and disbursements, granting Church & Dwight's motion to amend the judgment to include prejudgment and post judgment interest, taxing costs in favor of Church & Dwight and against Abbott, and granting in part and denying in part Abbott's motion to stay execution on the judgment pending appeal without being required to post a supersedeas bond or, in the alternative, for approval of a bond.

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$450.00) as required by 28 U.S.C. § 1913, 28 U.S.C. § 1917, Federal Circuit 52(a)(3)(A), and Rule 3(e) of the Federal Rules of Appellate Procedure.

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Dated: July 29, 2009

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CERTIFICATION OF SERVICE

I hereby certify that on July 29, 2009, copies of the foregoing Notice of Appeal were electronically filed and served by electronic filing and electronic mail upon the following attorney.

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Church & Dwight Co., Inc.

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Dated: July 29, 2009